

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SHEILA THOMPSON,

Plaintiff,

Case No. 17-cv-12731
Hon. Matthew F. Leitman

v.

BOTSFORD GENERAL
HOSPITAL, *et al.*,

Defendants.

**ORDER REGARDING DEFENDANT BOTSFORD GENERAL HOSPITAL'S
MOTION FOR JUDGMENT ON THE PLEADINGS (ECF #13) AND
GRANTING PLAINTIFF LEAVE TO AMEND**

On August 21, 2017, Plaintiff Sheila Thompson filed this action against Defendants Botsford General Hospital and Fatyma Harris. (*See* Compl., ECF #1.) The Complaint asserts that Defendants discriminated against Thompson in violation of 42 U.S.C. § 1981. (*See id.*) On November 28, 2017, Botsford General Hospital filed a motion for judgment on the pleadings. (*See* ECF #13.) In the motion, Botsford General Hospital argues that the Complaint does not plead sufficiently detailed or specific factual allegations and is, therefore, defective for failing to articulate a plausible claim, as required by the Supreme Court's decision in *Ashcroft v. Iqbal*, 556 U.S. 662 (2009). Thompson filed a response to the motion in which she argues that the allegations are sufficient but also states that she could amend the Complaint to add additional factual allegations to meet the pleading requirements. (*See* Response, ECF #16 at Pg. ID 106.)

Without expressing any view regarding the merits of the motion for judgment on the pleadings, the Court affords Thompson an opportunity to remedy the purported pleading defects by granting Thompson leave to file an Amended Complaint. Any Amended Complaint must be filed by March 16, 2018 and must state a “plausible claim for relief” by pleading specific factual allegations that, if true, would “plausibly give rise to an entitlement to relief.” *Iqbal*, 556 U.S. at 680. If Thompson timely files an Amended Complaint, the Court will deny without prejudice the current pending motion for judgment on the pleadings as moot. In that event, Defendants shall answer or otherwise respond to the Amended Complaint by April 6, 2018.

IT IS SO ORDERED.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: March 2, 2018

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 2, 2018, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(810) 341-9764